

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

UNILOC 2017 LLC, Plaintiff, v. APPLE INC., Defendant.	CIVIL ACTION NO.: PATENT CASE JURY TRIAL DEMANDED
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COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff, Uniloc 2017 LLC (“Uniloc”), for its complaint against defendant, Apple Inc. (“Apple”), alleges:

THE PARTIES

1. Uniloc 2017 LLC is a Delaware limited liability company, having addresses at 1209 Orange Street, Wilmington, Delaware 19801, 620 Newport Center Drive, Newport Beach, California 92660 and 102 N. College Avenue, Suite 303, Tyler, Texas 75702.
2. Apple is a California corporation, having regular and established places of business at 12535 Riata Vista Circle and 5501 West Parmer Lane, Austin, Texas.
3. Apple also operates Apple Stores at Barton Creek Square, Austin and at Apple Domain Northside, Austin, Texas, where it uses, offers for sale, and sells iPhones, iPads, iPods, and Mac products that include Apple’s iMessage functionality. Apple may be served with process through its registered agent for service in Texas: CT Corporation System, 1999 Bryant Street, Suite 900, Dallas, Texas 75201.

JURISDICTION

4. Uniloc brings this action for patent infringement under the patent laws of the United States, 35 U.S.C. § 271, *et seq.* This Court has subject matter jurisdiction under 28 U.S.C. §§ 1331 and 1338(a).

CLAIM FOR PATENT INFRINGEMENT

5. Uniloc is the owner, by assignment, of U.S. Patent No. 7,020,252 (“the ’252 Patent”), entitled GROUP AUDIO MESSAGE BOARD, which issued March 28, 2006. A copy of the ’252 Patent is attached as Exhibit A.

6. The ’252 Patent describes in detail, and claims in various ways, inventions in capturing, storing and forwarding messages between multiple users in a wireless communal audio message system.

7. The written description of the ’252 Patent describes in technical detail each of the limitations of the claims, allowing a person of ordinary skill in the art to understand what the limitations cover and how the combination of claim elements differed markedly from and improved upon what may have been considered conventional or generic.

8. Apple imports, uses, offers for sale, and sells numerous electronic devices on which Apple has installed Apple’s iMessage group audio capability, which is used by Apple’s customers to send voice messages to multiple other parties, those devices including: iPhones, iPads, and iPod touch running iOS 5 or later and Mac products running OS X or later (“iMessage Devices”). The iMessage Devices communicate with Apple’s iMessage servers that are used to receive, record, and store for playback voice iMessages sent by users of the iMessage Devices.

9. Using Apple’s Push Notification Service, Apple’s iMessage service allows users of the iMessage Devices to set up a connection with Apple iMessage servers to record voice messages for multiple other iMessage users to listen to via WiFi and cellular data networks.

10. The Apple iMessage servers offer users of the iMessage Devices the option of having voice iMessages expire after a set period, for example, two minutes after being accessed. When that parameter has been selected and the two minutes has expired, further access to the recorded voice iMessage is denied and users of the iMessage Devices cannot have the recorded message played back.

11. Apple has infringed, and continues to infringe, at least claim 1 of the '252 Patent by importing, using, offering for sale, and selling the accused iMessage service and Devices.

12. Apple may have infringed the '252 Patent through other software and devices utilizing the same or reasonably similar group audio messaging functionality as described above.

13. Uniloc has been damaged by Apple's infringement of the '252 Patent.

PRAYER FOR RELIEF

Uniloc requests that the Court enter judgment against Apple:

- (A) declaring that Apple has infringed the '252 Patent;
- (B) awarding Uniloc its damages suffered as a result of Apple's infringement of the '252 Patent;
- (C) awarding Uniloc its costs, attorneys' fees, expenses, and interest, and
- (D) granting Uniloc such further relief as the Court finds appropriate.

DEMAND FOR JURY TRIAL

Uniloc demands trial by jury of all issues so triable under Fed. R. Civ. P. 38.

Date: November 17, 2018

Respectfully submitted,

/s/ Aaron Jacobs

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